

Federal District Court  
In the District of Western Oklahoma

The Shaivite Temple FEIN# 37-1949939  
Rev. Ryan Sasha-Shai Van Kush  
1723 Candleglow St  
Castle Rock, Co 80109

**FILED**

DEC 18 2019

V.

10th Circuit Executive/Administrative Office of the Judges (AO)  
1823 Stout St  
Denver, CO 80257

CARMELITA REEDER SHINN, CLERK  
U.S. DIST. COURT, WESTERN DIST. OKLA.  
BY N.V. DEPUTY

Gordon P. Gallagher  
901 19th St  
Denver, CO 80294

Lewis Babcock  
901 19th St  
Denver, CO 80294

US Courts  
One Columbus Circle, NE  
Washington, D.C. 20544

Jurisdiction

This is a Violation of the Federal Rules of Civil Procedure, Administrative Procedure Acts, and Judicial Complaint Process, and the 6th and 14th Amendments of the Constitution of the United States of America.

Federal Tort Claims Act

August 2, 1946, ch.646, Title IV, 60 Stat. 812, "28 U.S.C. Pt.VI Ch.171" and 28 U.S.C. § 1346

Administrative Procedures Act  
Pub.L. 79-404, 60 Stat. 237

This will affect all Federal Districts within the 10th Circuit Jurisdiction.

Rule 83(a)(2)

Non-willing Non-Compliance with Forms Rules under Rule 8



Claim

The District Court in Colorado, and the 10th Circuit Court are in Violation of the Federal Rules of Civil Procedure, and the Judicial Complaint Process. I never intended to sue a Judicial Branch employee, or their Administrative Counterpart, they have made themselves the Defendants in this Case by refusing to allow any Discovery or even so much as 1 single hearing on my Claims.

At various times in 2018 I filed Federal Claims against Agencies, and the Court in Colorado continuously claimed that I was in violation of their Rule 8 Forms Rules, but I have clearly stated over and over and over that I am not in Violation because it is Non-willing Non-compliance in line with Rule 83(a)(2) as I was living in Fountain Colorado and did not have a printer, and have been Homeless and Indigent for the past 3 years, which I can prove.

Here is the Citation for this, it is Daily v. Adams County, No. 04-1038/D.C. No. 03-ES-1764 (10th Circuit).

In Daily v. Adams, the 10th Circuit stated

*"Federal Rule of Civil Procedure 83 allows local rules imposing form requirements to be enforced unless the failure to comply is "nonwillful." Fed. R. Civ. P. 83(a)(2). The magistrate judge twice instructed Plaintiff to file his complaint on the court-approved form, warning of dismissal for failure to comply. It cannot be said that Plaintiff's failure to comply with Local Rule 8.2 was "nonwillful.""*

I have over and over brought this to the Court, and even to the Judicial Complaint board, and they keep saying that I have provided no Evidence of this, when the Evidence of this is that I have filed everything on Notebook Paper, and am only now able to file forms because I am in Dallas Texas. I did file a few forms, but only because I was able to get my Father in Texas to mail me forms, but that is a complete Obstacle to Justice and I was not able to continue and continue to request that he send me forms, and had to go back to Notebook Paper.

Judge Gordon P. Gallagher was assigned to all my cases, which is a conflict of interest because he sees be as Irish, when I am only 12.5% Irish, this is also a Conflict because as far as I can find by searching the names "Gallagher" and "Babcock" together on Pacermonitor, a website that puts the basic docket information from PACER available to view online, Magistrate Gallagher and Judge Babcock have never allowed 1 single Indigent Case through, in fact, they seem to be the go to Tag Team to Dismiss the Claims of Indigent Defendants, particularly Homeless Defendants as I actually spoke with another person they did this to named Frank Sturgell, whose cases I provided to the Executive Office, and they ignored all of this. There is also supposed to be a random assignment of Judges, which did not happen, as these 2 Judges were given all my cases. Magistrate Gallagher is also a Marijuana DWI/DUI Lawyers, so his legal practice would be affected by this, and he should recuse himself. But the 10th Circuit Administrative Office Ignored all of these Claims in the Complaint they were reviewing for over a YEAR.



When I submitted these issues to the Judicial Complaint board they, as stated before, said that I did not provide Evidence that I can not file forms, and then said that I was complaining about Sanctions, which I was not. I am complaining about Discrimination, and the Violation of the Federal Rules of Civil Procedure.

I appealed the Complaint's Denial, and it was sent to the Judicial Counsel, this process took over a year, and they never even read anything I wrote. They literally pretended that this is all about me not liking Sanctions. But I couldn't care less about Sanctions, because I obviously will take them all day and all year from anyone who wants to illegally and unethically grant Sanctions against me. Here is the Sanctions Case Law that I cited, then they Sanctioned me *Ketchum v. Cruz*, 775 F. Supp. 1399 (D. Colo. 1991)

In the Ketchum Case, it clearly states that they have to Prove things, they can not just grant Sanctions against someone with no hearing, or no anything. In the Case there is particularly a thing called a Martinez Report; *Martinez v. Aaron*, 570 F.2d 317 (10th Cir. 1978)

In both the Martinez and Ketchum Cases, the Court PROVES that the Claims are Frivolous, then Grants Sanctions. I was literally Sanctions simply because they do not want to read what I have to say.

And further, these Sanctions were for 2 things, Rule 8 Forms Rules, and for sending Emails to the Court after being asked to stop, because they Sanctioned me from E-filing in order to block me from filing forms. The Court does not WANT me to file forms, they do not want me to file at all.

So, I filed an Administrative Tort Claim which they ignored and then they allowed a girl that works as a Clerk in the Administrative Office to fret over as if I was suing her instead of them which I assured her I was not, and I waited 180 Days, and now bring this action in a District that will be affected by the Case.

This is a Violation of the Federal Rules of Civil Procedure, Administrative Procedure Acts, and Judicial Complaint Process, and the 6th and 14th Amendments of the Constitution of the United States of America.

#### **PRAYER FOR RELIEF**

I pray the Court provide Declaratory Relief to Explain the exact Nature and History of the Sanctions coming to be, have a Hearing to find the Judges involved in the 10th Circuit Administrative Office Complaint Process in Violation of the APA and FRCP, and I call for a Rule 5.1 Hearing to Determine if these Judges are upholding their Constitutional Oath. And once Damages are proven in Discovery and Hearings, I request the Court to award \$500,000 for the



Damages caused to the Shaivite Temple FEIN# 37-1949939 and to Rev. Ryan Sasha-Shai Van Kush a.k.a. Rev. Ryan "Sasha" Gallagher.

S/\_Ryan\_Gallagher\_  
Rev. Ryan Sasha-Shai Van Kush  
[Mahatmajapa@gmail.com](mailto:Mahatmajapa@gmail.com)  
720-369-8172  
1723 Candleglow St  
Castle Rock, Co 80109

